

REMARKS

This Response is being submitted in response to the Office action mailed on April 5, 2007 and is believed to be fully responsive thereto. Claims 1-81 are pending in the application, of which claims 31-81 have previously been withdrawn from consideration. No claims have been amended in this Response.

The Examiner has allowed claims 1-28 and rejected claims 29 and 30.

Comments on Statement of Reasons for Allowance

The Applicant acknowledges with appreciation the allowance of claims 1-28 in the present application by the Examiner. The Applicant agrees with the Examiner's Statement of Reasons for Allowance to the extent that claims 1-28 are patentable over the references in the record.

However, the Applicant expressly traverses the Examiner's Statement of Reasons for Allowance to the extent that any statement is intended to or has the intended effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended to or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated. The Applicant specifically does not acquiesce or agree in any manner as to any assertion in Examiner's statements that may be interpreted to narrow the claims to less than their recited scope.

Rejection Under 35 U.S.C. § 102

The Examiner has rejected claims 29 and 30 as being anticipated under 35 U.S.C. §102 by United States patent no. 5,436,093 to Huang et al. (the Huang reference). Applicant respectfully traverses this rejection for at least the following reasons.

Claim 29, from which claim 30 depends, recites "mixing dry carbon and dry binder particles; and forming a self-supporting film from the dry particles without the use of any processing additives." (Emphasis added.) Anticipation requires that the cited reference identically disclose each and every element of the rejected claimed.

While the Examiner argues that the Huang reference identically discloses the recited claim, pointing to column 11, lines 23-31, the Examiner fails to note that the cited section refers

to "mixing graphitic carbon binder with a solution containing ethylene propylene diene monomer (EPDM) binder to yield a graphitic/carbon EPDM mixture" and further "allowing said film to dry substantially." Thus, the Huang reference, as cited by the same section provided in the Office action (and the immediately following clause), specifically discloses using a solution and the need to dry the film. The "solution" necessarily requires that either (i) dry carbon particles are not mixed with dry binder particles, or (ii) a liquid (e.g., a solvent) is used in the processing to create the solution (thus, the film is not formed "without the use of processing additives"). Thus, the cited reference does not disclose each and every limitation of claims 29 and 30.

As discussed in detail in the specification of the present application, the use of processing additives in an electrode introduces many problems. Among these problems, for example, the use of processing additives, such as used in the solution disclosed in the Huang reference, include the following:

Drying processes introduce many manufacturing steps, as well as additional processing apparatus. In the prior art, the need to provide adequate throughput requires that the drying time be limited to on the order of hours, or less. However, with such short drying times, sufficient removal of additive and impurity is difficult to achieve. Even with a long drying time (on the order of days) the amounts of remaining additive and impurity is still measurable, especially if the additives or impurities have a high heat of absorption. Long dwell times limit production throughput and increase production and process equipment costs. Residues of the additives and impurities remain in commercially available capacitor products and can be measured to be on the order of many parts-per-million.

(See paragraph 0015 of the published application.) Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 29 and 30, and allow claims 29 and 30.

Extension of Time

This Response is being filed within the statutory period of reply for a one-month extension of time. Applicant accordingly hereby requests a one-month extension of time. Applicant believes that no other fees are due or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefore and authorization to charge Deposit Account No. 50-3199 accordingly.

CONCLUSION

Applicant believes that claims 1-30 are currently in a condition for allowance and respectfully requests prompt issuance of a Notice of Allowability.

If the Examiner believes that a telephone conference could expedite the prosecution of the application or needs any additional information, the Examiner is invited to contact the undersigned attorney.

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Respectfully submitted,

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